

Attorney Docket No. GRIP:108US
U.S. Patent Application No. 10/567,071
Reply to Office Action of October 9, 2007
Date: March 7, 2008

Remarks/Arguments

Claim Amendments

Claim 1 has been amended to corrected antecedent basis problems and to explicitly recite steps that are automatically executed by a computer, for example, as compared to carried out by an end user of the method. The automatic execution of the steps by a computer is fully supported by the instant application, for example by paragraphs [0001], [0012], [0058], [0059], and [0069].

No new matter has been added.

The Rejection of Claims 1-31 Under 35 U.S.C. §102

The Examiner rejected Claims 1-31 under 35 U.S.C. §102(b) as being anticipated by U.S. Published Patent Application No. 2002/0091908 (Ashida et al.). Applicant respectfully traverses the rejection.

Anticipation requires that all of the elements of the claim be taught within the four corners of a single reference.

Ashida does not teach storing results in the first database

Amended Claim 1 recites: “for each remaining second item type in the at least one second item type, performing the steps of automatically reading and automatically storing said each remaining second item type *in the first database* if the prerequisite item is present,” (emphasis added).

The above step stores second item types in the first database. Regarding the first database, the Examiner stated: “is obtained from an operation performed on first data associated with at least one third item stored in a first database [data definition information, 0005]” That is, the Examiner has equated data definition information 102 in Fig. 1 with the first database recited in Claim 1.

The Examiner stated the following regarding the above limitation of Claim 1: “successively reading each other second item type and storing [[it]] said each other second item type in the first database if the or each prerequisite item is present in the first database and outputting an indication that the system model can be produced if items of the model

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specification are stored into the first database [predetermined number of speculation models generated after determination by speculation unit, 0036]”

Paragraph [0036] is reprinted below:

“Now referring to FIG. 12, another preferred embodiment of the system for generating speculation results according to the current invention includes a characteristic rule generation processing unit 103, a segment selection unit 106, a speculation model generation unit 109 and a speculation processing unit 111. In general, customer data 101 and data definition information 102 are inputted into the characteristic rule generation processing unit 103, and the characteristic rule generation processing unit 103 outputs characteristic rule sets 104. Based upon the customer data 101, the data definition information 102, the characteristic rule sets 104 and user-defined data 105, the segment selection unit 106 outputs speculation data lists or selected customer lists 107 and selected segments 108. In the second preferred embodiment, based upon the customer data 101, the data definition information 102 and the selected segment 108, *the speculation model generation unit 109 generates a predetermined number of speculation models 110 in advance and store them before the user selects a particular speculation model for use.* In the second preferred embodiment, the user 105 independently selects one of the speculation models 110. Finally, based upon the selected customer lists 107 and the user selected speculation model 110, the speculation processing unit 111 generates speculation results 112.” (emphasis added).

Applicant assumes that the Examiner is basing this portion of the rejection on the italicized portion of the above excerpt.

Since the Examiner has stated that data definition information 102 is analogous to the first database recited in Claim 1, at a minimum, Ashida must teach a succession of storage operations in data definition information 102. This is clearly not the case. There is no teaching anywhere in Ashida, and in particular in paragraph [0036], regarding storage operations for results generated by the processes taught in Ashida. Further, there are no teachings in Ashida regarding storage steps with respect to information 102.

Attorney Docket No. GRIP:108US
U.S. Patent Application No. 10/567,071
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Ashida does not teach an automatic iterative storage process

Amended Claim 1 recites: “*for each remaining second item type in the at least one second item type, performing the steps of automatically reading and automatically storing said each remaining second item type in the first database if the prerequisite item is present,*” (emphasis added).

As noted above, the Examiner has equated data definition information 102 in Fig. 1 with the first database recited in Claim 1.

The Examiner stated the following regarding the above limitation of Claim 1: “successively reading each other second item type and storing [[it]] said each other second item type in the first database if the or each prerequisite item is present in the first database and outputting an indication that the system model can be produced if items of the model specification are stored into the first database [predetermined number of speculation models generated after determination by speculation unit, 0036]”

Applicant has shown paragraph [0036] and the relevant portions of that paragraph above.

Since the Examiner has stated that data definition information 102 is analogous to the first database recited in Claim 1, at a minimum, Ashida must teach an automatic iterative process including a succession of storage operations in data definition information 102. However, Applicant has shown that Ashida does not teach any type of storage operation in data definition information 102 for any result produced by the processes disclosed in Ashida. Therefore, for at least that reason, Ashida does not teach an iterative storage process involving data definition information 102.

In Figure 7, Ashida teaches a non-iterative portion of a process beginning with inputting data from data 101 and conditions from information 102 to model generation unit 109, which generates models 110. An iterative portion of the process validates models and another non-iterative portion of the process selects a model.

There is no iterative process involving data 101 or information 102. Further, the iterative portion is not automatic. As clearly shown in Fig. 12, user 105 is involved in selecting speculation models 110 and with speculation processing unit 111.

Attorney Docket No. GRIP:108US
U.S. Patent Application No. 10/567,071
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For all the reasons noted above, Ashida fails to teach each and every element of Claim 1. Therefore, Claim 1 is novel with respect to Ashida.

Applicant courteously requests that the rejection be removed.

The Rejection of Claims 5-7 and 9-14 Under 35 U.S.C. §103

The Examiner rejected Claims 5-7 and 9-14 under 35 U.S.C. §103(a) as being unpatentable over U.S. Published Patent Application No. 2002/0091908 (Ashida et al.) and in view of U.S. Patent No. 6,438,547 (Mehr et al.). Applicant respectfully traverses the rejection.

Applicant has shown that Ashida fails to teach every element of Claim 1. Nor does Ashida suggest or motivate all the elements of Claim 1. Mehr does not cure the defects of Ashida with respect to Claim 1; therefore, Claim 1 is patentable over the cited references. Claims 5-7 and 9-14, dependent from Claim 1, enjoy the same distinction with respect to Claim 1.

Applicant courteously requests that the rejection be removed.

The Rejection of Claims 26-31 Under 35 U.S.C. §103

The Examiner rejected Claims 26-31 under 35 U.S.C. §103(a) as being unpatentable over U.S. Published Patent Application No. 2002/0091908 (Ashida et al.) and in view of U.S. Published Patent Application No. 2002/10049749 (Helgeson et al.). Applicant respectfully traverses the rejection.

Applicant has shown that Ashida fails to teach every element of Claim 1. Nor does Ashida suggest or motivate all the elements of Claim 1. Helgeson does not cure the defects of Ashida with respect to Claim 1; therefore, Claim 1 is patentable over the cited references. Claims 26-31, dependent from Claim 1, enjoy the same distinction with respect to the cited references.

Applicant courteously requests that the rejection be removed.

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Conclusion

Applicants respectfully submit that all pending claims are now in condition for allowance, which action is courteously requested.

Respectfully submitted,

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Dated: March 7, 2008